

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

MARY ELLEN HANNIGAN,

Civil Case No. 08-1349-PK

Plaintiff,

O R D E R

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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Attorney for Plaintiff

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KING, Judge:

The Honorable Paul Papak, United States Magistrate Judge, filed Findings and Recommendation on July 15, 2010. Plaintiff filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Papak.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Papak (#42) dated July 15, 2010 in its entirety.

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IT IS HEREBY ORDERED that defendant's Motion to Dismiss (#35) is granted in part and denied in part. The court has no jurisdiction over the ALJ's decision on plaintiff's 2005 DIB application.

DATED this 27th day of September, 2010.

/s/ Garr M. King

GARR M. KING
United States District Judge